



## UNITED STATES PATENT AND TRADEMARK OFFICE

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UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/021,752	MAR 05 2002 10/29/2001	James P. Lester	21685-06159

00758  
FENWICK & WEST LLP  
TWO PALO ALTO SQUARE  
PALO ALTO, CA 94306

COPY OF PAPER  
ORIGINALLY FILED

CONFIRMATION NO. 6272

## FORMALITIES LETTER



\*OC000000007358339\*

Date Mailed: 01/24/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 65.

*A copy of this notice **MUST** be returned with the reply.*

  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

03/08/2002 BNGUYEN1 00000137 10021752

01 FC:205

65.00 DP



PATENT

IN THE UNITED STATES  
PATENT AND TRADEMARK OFFICE

APPLICANT(S): James P. Lester  
APPLICATION NO.: 10/021,752  
FILING DATE: October 29, 2001  
TITLE: Interactive Delivery of Media Using Dynamic Playlist Generation  
Subject to Restrictive Criteria  
CONFIRMATION NO. 6272  
EXAMINER: Not yet known  
GROUP ART UNIT: 2171  
ATTY. DKT. NO.: 21685-06159

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Box Missing Parts, Commissioner For Patents, Washington, DC 20231, on the date shown below:

Dated: 2/19/02

By: Robert A. Hulse  
Robert A. Hulse, Reg. No.: 48,473

BOX MISSING PARTS  
COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

RESPONSE TO NOTICE TO FILE MISSING  
PARTS OF APPLICATION

SIR:

Responsive to the Notice to File Missing Parts dated January 24, 2002, received in the above-identified patent application,

Enclosed are:

- ☒ a copy of the Notice to File Missing Parts;
- ☒ an original, signed Declaration;
- ☒ an original, signed Power of Attorney;
- ☐ an Application Data Sheet;

PATENT

☒ payment in the amount of \$65.00 for the

☐ application filing fee;

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☐ fee for additional claims, and

☒ missing parts surcharge.

☒ Applicant claims small entity status under 37 C.F.R. § 1.27.

Respectfully submitted,  
JAMES P. LESTER

Dated: 2/19/02

By: Robert A. Hulse

Robert A. Hulse, Reg. No.: 48,473

Fenwick & West LLP

Two Palo Alto Square

Palo Alto, CA 94306

Tel.: (415) 875-2494

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21685/06159/SF/5068939.1

PTO/SB/17 (10-01)(modified)  
OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

0002/PTO(modified)  
Rev. 10/2001U.S. Department of Commerce  
Patent and Trademark Office

## FEE TRANSMITTAL

## TOTAL AMOUNT OF PAYMENT

Subtotal (1) + Subtotal (2) + Subtotal (3) =

(\$65.00)

## Complete if Known

Application Number	10/021,752
Filing Date	October 29, 2001
First Named Inventor	James P. Lester, et al.
Confirmation No.:	6272
Group Art Unit	2171
Examiner Name	Not yet known
Attorney Docket Number	21685-06159

## METHOD OF PAYMENT

## 1. The Commissioner is hereby authorized to:

- ☐ Charge the indicated fees to the below mentioned deposit account.
- ☒ Charge any additional fee required under 37 CFR 1.16 - 1.21 or credit any over payments to the below mentioned deposit account.<sup>†</sup>
- ☐ Applicant claims small entity status See 37 CFR 1.27

Deposit Account Number: 19-2555

Deposit Account Name: FENWICK &amp; WEST LLP

A Duplicate Copy of this authorization is attached

2. ☒ Payment Enclosed:☒ Check ☐ Credit Card ☐ Other

## FEE CALCULATION (fees effective 10/01/2001)

## 1. FILING FEE

Large Entity Fee Code/Fee	Small Entity Fee Code/Fee	Fee Description	Fee Due
101/\$740	201/\$370	Utility Filing	
106/\$330	206/\$165	Design Filing	
108/\$740	208/\$370	Reissue	
114/\$160	214/\$80	Provisional Filing	

SUBTOTAL (1) (\$0.00)

## 2. CLAIMS

Large Entity Fee Code/Fee	Small Entity Fee Code/Fee	Fee Description
103/\$18	203/\$9	Claims in excess of 20
102/\$84	202/\$42	Independent claims in excess of 3
104/\$280	204/\$140	Multiple dependent claim
109/\$84	209/\$42	Reissue independent claims over original patent
110/\$18	210/\$9	Reissue claims in excess of 20 and over original patent

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Entity Fee Code/Fee	Small Entity Fee Code/Fee	Fee Description	Fee Due
105/\$130	205/\$65	Surcharge - late filing fee or oath	65.
127/\$50	227/\$25	Surcharge-late provisional filing fee or cover sheet	
147/\$2,520	147/\$2,520	For filing a request for reexamination	
115/\$110	215/\$55	Extension for response within first month <sup>†</sup>	
116/\$400	216/\$200	Extension for response within second month <sup>†</sup>	
117/\$920	217/\$460	Extension for response within third month <sup>†</sup>	
118/\$1,440	218/\$720	Extension for response within fourth month <sup>†</sup>	
128/\$1,960	228/\$980	Extension for response within fifth month <sup>†</sup>	
119/\$320	219/\$160	Notice of Appeal	
141/\$1,280	241/\$640	Petition to revive unintentionally abandoned application	
142/\$1,280	242/\$640	Utility Issue Fee (Or Reissue)	
143/\$460	243/\$230	Design Issue Fee	
122/\$130	122/\$130	Petitions to the Commissioner	
126/\$180	126/\$180	Submission of Information Disclosure Statement	
179/\$740	279/\$370	Request for Continued Examination (RCE)	
581/\$40	581/\$40	Recording each patent assignment per property (times number of properties)	
146/\$740	246/\$370	Filing a submission after final rejection (37 CFR 1.129(a))	
149/\$740	249/\$370	For each additional invention to be examined (37 CFR 1.129(b))	

Other fee (specify):

Other fee (specify):

SUBTOTAL (3) (\$65.00)

(Col. 1)		(Col. 2)		(Col. 3)		Fee	Fee Due
For	No. of Existing Claims	minus*	Highest No. Previously Paid For	=	Extra**		
TOTAL		minus*	20 or 0	=			
INDEP		minus*	3 or 0	=			
{ } First presentation of multiple dependent claim							=

\* Subtract the greater number of Col. 2

\*\* If the difference between Col. 1 and Col. 2 is less than zero, then enter "0" in Col. 3

SUBTOTAL (2) (\$0.00)

## SUBMITTED BY

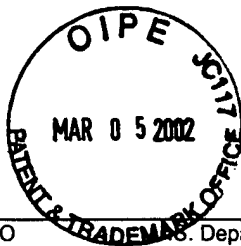
Typed or Printed Name Robert A. Hulse

Signature Robert A. Hulse

## Complete (if applicable)

Reg. Number 48,473

Date 2/19/02



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PTO/SB/21 (modified)  
Approved for use through xx/xx/xx, OMB 0651-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence during pendency of filed application)	0001/PTO Rev. 10/95	U.S. Department of Commerce Patent and Trademark Office	Application Number	10/021,752
			Filing Date	October 29, 2001
			First Named Inventor	James P. Lester et al.
			Confirmation No.	6272
			Group Art Unit Number	2171
			Examiner Name	Not yet known
Total Number of Pages in This Submission		6	Attorney Docket Number	21685-06159

**ENCLOSURES (check all that apply)**

<input checked="" type="checkbox"/> Fee Transmittal Form (in duplicate) <input checked="" type="checkbox"/> Check Enclosed <input checked="" type="checkbox"/> Return Receipt Postcard <input checked="" type="checkbox"/> Response to Notice to File Missing Parts <input checked="" type="checkbox"/> Copy of Notice to File Missing Parts <input checked="" type="checkbox"/> Declaration <input checked="" type="checkbox"/> Power of Attorney <input type="checkbox"/> Information Disclosure Statement & PTO-1449 <input type="checkbox"/> Copies of IDS Cited References <input type="checkbox"/> Request for Corrected Filing Receipt <input type="checkbox"/> Application Data Sheet <input type="checkbox"/> Amendment/Response: [ ] Page(s) <input type="checkbox"/> After Final <input type="checkbox"/> Status Request <input type="checkbox"/> Revocation and Power of Attorney	<input type="checkbox"/> Issue Fee Transmittal <input type="checkbox"/> Letter to Chief Draftsperson <input type="checkbox"/> Formal Drawing(s): [ ] Sheet(s) of Figure(s) [ ] <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
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REMARKS:.

**SIGNATURE OF ATTORNEY OR AGENT**

Signature:			
Attorney/Reg. No.:	Robert A. Hulse, Registration No. 48,873	Dated:	2/19/02

**CERTIFICATE OF MAILING**

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Signature:			
Typed or Printed Name:	Robert A. Hulse	Dated:	2/19/02

21685/06159/SF/5069167.1

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